38 FACE 422

PATRICIA ANN POWELL Route #3, Box 152

NUMBER 27/82 EQUITY

Thurmont, Maryland

21788 IN THE

* CIRCUIT COURT FOR

ROBERT DAVIS POWELL Route #1

FREDERICK COUNTY,

Rocky Ridge, Maryland 21778

MARYLAND

BILL OF COMPLAINT FOR SALE OF

REAL PROPERTY IN LIEU OF PARTITION

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Bill of Complaint of Patricia Ann Powell, by G. Edward Dwyer, Jr. and ZIMMERMAN, ALDRIDGE & DWYER, her attorneys, respectfully represents unto your Honorable Court:

FIRST: That by Deed dated the 31st of May, 1963, and recorded among the Land Records of Frederick County, Maryland, in Liber Number 686, folio 52, Charles V. Gearhart and Faye E. Gearhart, his wife, conveyed, in fee simple, to Robert D. Powell and Patricia Powell, his wife, as tenants by the entireties, a certain parcel of land, lying and being in Emmitsburg Election District, Frederick County, Maryland, being parts of a tract of land called "Buck Forest", and containing approximately three (3) acres of land, more or less, and more particularly described in a xerox copy of aforesaid Deed, which is herewith attached and made a part hereof and marked "Complainant's Exhibit A".

SECOND: That by a Decree of divorce dated the 7th day of June, 1977, by the Circuit Court for Frederick County, Maryland, the said Patricia Ann Powell was divorced A VINCULO MATRIMONII from Robert Davis Powell, where upon each of the said parties have now become an owner by tenants in common of an undivided one-half interest in and to the hereinbefore described property. A copy of the aforesaid Decree of divorce is attached hereto and made a part hereof and is marked as "Complainant's Exhibit B".

THIRD: That the said real property is not susceptible of partition without material loss and injury to the parties entitled to the interest therein as above stated, and that in order to make the division of said interest,

ZIMMERMAN, ALDRIDGE & DWYER ATTORNEYS AT LAW 120 WEST CHURCH STREET FREDERICK, MARYLAND 21701 (301) 663-5191